IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3801 OF 2006
IN
FIRST APPEAL NO. 1040 OF 1997

Konkan Railway Corpn.,Ltd., ...Applicant.

Versus.

The State of Maharashtra & Anr....Respondents.

Ms. Kirti Kokil, for applicant.

Smt. G.P. Mulekar, A. G. P, for respondent No.1.

CORAM: S.B. MHASE &
S. R. SATHE, JJ.

DATE:OCTOBER 18,2006.

P.C.

1. Leave to amend. The First Appeal No. 1040 of 1997 is filed by State of Maharashtra through the Special Land Acquisition Officer, Sindhudurg at Oras. In the said First Appeal, the decree passed by Joint Civil Judge, Senior Division, Ratnagiri at Sawantwadi dated 22nd April 1996, in Land Acquisition Reference No. 76 of 1995, is challenged. It was Land Reference under Section 18 of the Land Acquisition Act. The land was acquired for the construction of Konkan Railway and therefore, Konkan Railway is Acquiring Body. However,

the said Acquiring Body was not party to the Land Reference Application. Therefore, now Acquiring Body has filed Civil Application to add them as appellant along with State of Maharashtra. The State of Maharashtra has no objection for adding them as party. Since the land has been acquired for Konkan Railway and ultimately, compensation is payable by Konkan Railway, therefore, Civil Application is allowed. Applicant Konkan Railway is hereby allowed to be joined as appellant along with State of Maharashtra, as appellant No. 2. Amendment should be effected immediately. Civil Application stands disposed of.

(S.R.SATHE, J.) (S.B. MHASE, J.)

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